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# Official Oath of Office.

Territory of Idaho }
County of Ada } ss

I Thomas W Bennett, having been appointed by the President of the United States Governor of the Territory of Idaho, do solemnly swear that I have never voluntarily borne arms against the United States, since I have been a Citizen thereof: that I have voluntarily given no aid, countenance, Counsel or encouragement to persons engaged in armed hostility thereto: that I have neither sought nor accepted nor attempted to exercise the functions of any Office whatever under any authority or pretended authority in hostility to the United States: that I have never yielded a voluntary support to any pretended Government Authority, power or Constitution within the United States, hostile or inimical thereto. And I do further swear, that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic: that I will bear true faith allegiance to the same: that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the Office on which I am about to enter. So help me God: Sworn and subscribed before me, this 26 day of December AD 1871

M. E. Hollister Asst Justice Sup Court Idaho.

I, Thomas W Bennett, do solemnly swear that I will well and faithfully discharge the duties of the Office of Governor of the Territory of Idaho, according to law, to the best of my ability. So help me God. (Signed) Thos W Bennett.

Sworn to and subscribed before me this 26 day of Dec AD 1871.

M. E. Hollister Associate Justice of the Supreme Court of Idaho Territory.

# Ulysses S. Grant.

President of the United States of America.

To all who shall see these Presents Greeting:

Know Ye, That reposing special trust and Confidence in the Integrity and Ability of Thomas W. Bennett, of Indiana, I have nominated, and by and with the advice and Consent of the Senate, do appoint him to be Governor of the Territory of Idaho; and do authorize and empower him to Execute and fulfil the duties of that Office according to Law. And to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining, unto him the said, Thomas W. Bennett, for the term of four years from the day of the date hereof, and until his successor shall be and qualified; subject to the Conditions prescribed by Law.

In Testimony whereof, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the Fourteenth (14) day of December, in the year of our Lord, one Thousand Eight Hundred and Seventy one, and of the Independence of the United States of America, the Ninety Sixth.

(Signed) U. S. Grant

Seal

By the President:

(Signed) Hamilton Fish

Secretary of State.

Executive Department
Boise City I.T.
February 10th 1873

Hon Daniel Crane
Territorial Controller
Idaho Territory

Sir

Your application for a leave of Absence from the Territory for the period of Ninety days, to commence from to day, is hereby granted.

You will see that a proper and competent person, is duly provided to discharge the duties of the office during your said Absence.

Respectfully Your
(Signed) E. Curtis,
Sect. & Acting
Governor of I.T.

Executive Department
Boise City Id.
Jan 25 1893.

To
Joseph Pearl Esq
Boise City I.T.

Dear Sir: I have the honor to inform you that I have This day Appointed you to the office of Controller of Idaho Territory to fill the vacancy occasioned by the Resignation of Daniel Corey. And to take effect July 1st 1893.

Upon presentation of this Appointment to the Secretary of the Territory, together with your bond fully executed according to law, for My Approval, you will receive your Commission.

Respectfully
(Signed) Geo Burnett
Governor Idaho Ter

Washington D C
April 13. 1874

Hon E. P. Smith
Comr Indian Affairs:

Sir:

I desire to call your attention to some of the phases of Indian Affairs in the Territory of Idaho, to the end that you may be the better able to suggest the proper course to be pursued.

As is well known to your Department a large portion of the inhabitants of that Territory reside within a circle of one Hundred miles of Boise City the Territorial Capital; that there is no Indian Agent or Superintendent nearer the Capital than Ft Hall and Ft Lapwai, a distance of near three hundred miles. The Indians from these Reservations and from Reservations in Oregon, together with various roving bands, consisting of Bannacks, Shoshones, Nez Perces, Umatillas, Pintes, Malheurs, Sheep Eaters &c annually gather in great numbers in the Boise, Payette and Weiser valleys, in the very midst of the white settlements, to the great annoyance, and fear of the inhabitants. All of which has been fully shown, in Memorials of the Legislative Assembly of said Territory, and in written statements of the Governor thereof to your Department. In consideration of such facts your Department very wisely appointed a Special Committee to visit these Indian tribes, and negotiate treaties with them, whereby they should agree to remain upon their reservations, and cease from their roving customs. This Commission as I think faithfully and successfully performed the duties assigned it, and the report of its work is before you. So that hereafter, if these treaty Indians shall observe their obligations, no further trouble need be apprehended from them. But the great body of these roving Indians,

have never been on reservations or have deserted the same, and refuse to agree to go upon any reservation. There is one band of Bannocks and Shoshonees, under "Eagle Eye"; that remain the whole year in the Weiser Valley, in the midst of white settlers, hunting, fishing, stealing and marauding to the great danger and terror of the citizens. These Indians number over one hundred and by birth and tribal relations properly belong on the Ft Hall Reservation. Several smaller, and weaker bands are scattered along Snake and Bruneau rivers, to the great annoyance of the settlers there, and like those under "Eagle Eye" properly belong to the Ft Hall reservation. Then there is the tribe of Mixed Bannock-Shoshonee and Sheep Eaters under Chief Tin-a-dora, in the Lemhi Valley of Salmon river, which, while on paper are claimed to be in Montana, and under the control of an Agent, and receiving the benefits of appropriations are in fact in Idaho, and subsist by roaming, hunting and fishing all over the Central and Eastern portions of Idaho and western Montana, and annually to the number of several hundreds go to the settlements above refered to, and overrun the settlers.

There are other roving bands who persistently refuse to go upon reservations to which I refer you to the report aforesaid.

All these outside roving bands of Indians will without doubt continue to rove over the whole country, and will during each summer assemble in the Boise, Payette, and Weiser valleys, making "Eagle Eye's" band the nucleus and there meeting the Nez Perce, Umatillas, and other

Indians from the North, held high Carnival for months, driving the settlers to the towns, and terrifying and exciting the whole country. Three times within the last three years this condition of affairs has happened and a war was imminent, which if it had happened would have involved consequences more easily imagined than told. This danger has as I believe been prevented by the vigilance and prudence of the Executive Department of Idaho Territory, and the forbearance of our people. Proclamations were issued to the citizens, and public and private assurances given by the Governor that the Department at Washington had the subject under consideration, and would afford relief from these great troubles; and the Indians were, during each of these years, visited in their Camps frequently by the Governor, and by others under his directions, and counselled, and persuaded to peace, and by returning stolen property, by friendly "talks" and gifts of provisions &c &c

The time has now arrived when the settlement of this question, in my judgement demands immediate action, if difficulty would be prevented, and the interests of the Territory both Whites and Indians be protected. It cannot be expected that the Executive Authority of the Territory can longer manage Indian Affairs, at a distance of three hundred miles from any Agent, and separated from them by many ranges of mountains, and unconnected with them and with your Department by Telegraph, or rail-road, and this too without any authority, or money for that purpose. For three years the Governor of the Territory has traveled on horseback and on Stage many hundreds, and in the aggregate many thousands

of miles, held councils with many savage tribes, at his own expense. In addition to this labor, and expense, scarcely a day passes, during the Summer and Fall, when the Governor is not called upon by Indians singly, doubly, in squads, tribes and immense droves, to detail their grievances, have disputes settled, get certificates of character, and loyalty, and that other great desideratum of a "friendly Indian" "muck-a-muck." All of which must be complied with, in order to preserve the entente cordiale on a "Peace Basis," for no Indian Agent is near to do this work, and no Indian money is there to foot the bills.

In consideration of these facts, (and in corroboration of all which I refer you to Hon. J. P. L. Shanks, and Hon. John Hailey, both of whom are familiar with them) will you allow me to respectfully recommend for your consideration the following remedies for the difficulties above referred to, the adoption of which, or of similar action by your Department, I submit would result in great good to the whites and to the Indians of that Territory, and greatly enhance the prosperity of the country.

1st. That Agents at Ft. Hall, Ft. Lapwai and at Umatilla Reservations should be required to prevent as far as possible all Indians under their control from leaving their reservations, except for business purposes and then in small parties, with passes. This is all the more reasonable, because of the fact that all recent treaties with Indians, and orders to Agents tend to preclude all white men from trespassing on reservations. And the three reservations above referred to are made from selections of the

choicest lands, and are vast, ample, and well suited to the purpose.

2d All roving bands should be at once peaceably notified to go upon the reservations to which by tribe and Kindred they belong and in case of their refusal they should be forced to obey. I have seen all these bands, and proposed this thing to them, and I am confident all would peaceably obey if the Government would make a positive order. But in case of their obstinate refusal, to force them would be an easy task if properly managed. Especially should "Eagle Eyes" band of one hundred be immediately put upon Ft Hall reservation - this is an easy task, and would break up the "nest" on the Weiser, where year after year is hatched most of the troubles. Several other small bands of a dozen or two could be also taken along.

3d Some person with proper authority from your Department, should be at Boise City, the Territorial Capital, to attend to the vast and responsible duties heretofore performed gratuitously by the Governor. And this person should have money to pay expenses, and to meet the many occasions that arise.

Of course to carry out all these plans money will be needed, and a special appropriation made for that purpose.

And to insure the accomplishment of the work, men should be selected for these duties, who are acquainted with the country, the Indians and the circumstances, men who are more interested in the accomplishment of the work, than in drawing the appropriation.

I have drawn this informal statement and submit it to you in the hope that you may be enabled to

devise a remedy that shall be effectual in the accomplishment of the work I have indicated.

Respectfully submitted

(signed) F. W. Bennett

Governor of Idaho

Executive Department

Boise City I. T. July 11th 1894

Hon. C. Delano

Secretary of Interior

Washington

D.C.

Sir.

Will you be kind enough to inform me in what way the appropriation for "Incidental expenses of the Indian Service in Idaho Territory" as approved June 22 1874. (act no 73 page 29) will be expended? I see the appropriation is to assist Indians to locate on reservations, and to promote friendly relations &c

Referring to my written communication to the Indian Department of April 1893, and to the many petitions and Memorials of our Legislature on the subject as well as to the recommendations of Hon John Hailey and Hon J.B.C Shanks) both of whom are familiar with the facts, I beg leave to add that I am sure there is no place in the whole country where the Indian service is so entirely neglected as at this point. We are midway between the Barracks and Shoshones on the South East, and the Nez Perces and Umatillas on the North West, with roaming bands all around us. No Agent nearer than 250 miles, and no way to communicate with him. Each summer Indians to the number of several thousand from all these tribes congregate here. Now they are here in droves.

The Governor having formerly been superintendent, and from his position as the chief officer of the Government

here is every day called on by Indian chiefs with information which they deem important: with grievances to relate: information to ask: councils to hold &c

And they all want something to eat, something to wear, medicines, annuities for hunting &c &c The white people look to the Governor to keep all these Indians friendly, and they too come to the Governor with all their complaints of Indian trespasses &c The Governor by complying with all these requests, and supplying all these wants secures a complete control over the Indians, and promotes friendly relations &c.

But to refuse to do all this is to get their contempt and ill will, and to lose all control over them. I would recommend first the appointment of a Special Agent to reside here, with the pecuniary means to do all this work. If that cannot be done, can the Governor have that appropriation or a part of it for the work above mentioned? Every cent of the sum could be used to great advantage, in promoting friendly relations, and in assisting these roaming bands to go upon reservations. A Special Agent here, & the Governor under the direction of the Department could get all these bands upon Hall reservation.

I have expended already out of my own pocket, and from contributions nearly one thousand dollars upon this work but feel that I am unable to do more in that way, while the Government provides so liberally for the purpose. I ask no pay for my labor but think the Government should furnish the material.

You will greatly oblige me by giving me information and instructions upon this question, if not inconsistent with your duties.

I am most respectfully
Your obedient Servant

# Election Proclamation

## By the Governor

Executive Department.
Idaho Territory,
Boise City,
August 1. 1874.

To all whom it may concern:

I. J. H. Bennett,
Governor of the Territory of Idaho, do hereby make Proclamation to the legal voters of said Territory, that in pursuance of the Statutes in such cases made and provided, a general election will be held at the proper voting places, in the various counties in said Territory, on the first Tuesday after the first Monday in November, being the third day of said month A.D. 1874, for the purpose of electing the following officers, to wit:

One Delegate to the Forty fourth Congress.

Members of both Branches of the Eighth Legislative Assembly, as follows, to wit:

Ada County- Two Members of the Council, and four members of the House of Representatives.

Alturas County- One Member of the Council, and two Members of the House of Representatives.

Boise County- Three Members of the Council, and Eight Members of the House of Representatives.

Idaho County- One Member of the Council, and two Members of the House of Representatives

Lemhi County— One Member of the Council and two members of the House of Representatives.

Nez Perce County— One Member of the Council, and two Members of the House of Representatives.

Owyhee County— Two Members of the Council, and four Members of the House of Representatives.

Oneida County— One Member of the Council, and one member of the House of Representatives.

Shoshone County— One Member of the Council, and one Member of the House of Representatives.

Also all other elective territorial, county, and precinct officers.

In witness whereof I have hereto set my name and caused to be affixed the Seal of said Territory.

Done at Boise City, this 1st day of August A. D. 1874.

Seal

(signed) J. H. Bennett
Governor Idaho T

Executive Department

Boise City I T. Oct 5 1874

Hon W H Williams.
Atty Genl.
Washington
D C

Sir:

I am in receipt of your communication of recent date in reference to the leave of absence of Judge Noggle. In reply I have to say that three very important Courts sit during his absence. At Silver City 2d Monday Oct. at Idaho City 4th Mon Oct at Boise City 4th Mon Nov. These are in the three largest Counties, and are the most important Courts in the Territory, and in all of them, at the ensuing terms have a large amount of important business which the Attys and parties are very anxious to dispose of. Our Territorial Legislative Assembly passed a law a few years ago authorizing the Governor to call another Judge in case of absence &c. But that law was passed when the Legislature was authorized to assign the Judges to Districts, and therefor probably had the power to delegate their authority to the Governor in certain contingencies. But now the Judges assign themselves by authority of Congress. 2ndly. Can the Governor now act under the old laws. But that is not the great difficulty, for while our Judges and Lawyers think I have no power to call in a Judge, they all are willing that I may do so, and that it will be a color of law to which they will not object

But the trouble is to get one of the other Judges. Judge Hollister resides at Malade City in Oneida County, 400 miles by stage, and his Court sits at the same time, that is, during November. He cannot come. Judge Whiton resides at Lewiston, 400 miles by Stage, His Court sits in Lewiston the 1st Monday of Oct, having adjourned to that time before hearing from me. He wrote me that he could hurry the business of his Court so as to be at at least two of Judge Noggle's courts. But he said, which is a fact, that his expenses in traveling, and in holding these courts would be about $500.00 more than if he staid at home, and he thought Judge Noggle should pay it, he being willing to do the work gratuitously, and it will be very laborious on Whiton to finish up his own round of Courts, travel 400 miles in Stage, hold Courts for Noggle in three Counties during the whole of Oct, Nov and Dec, and then Supreme Court in Jan & Feb.

I was informed by Judge Noggle, when he left here, that Judge Hollister would hold the August term for him in Altmas County, and requested me to make the order under our Territorial laws, which I did. But Judge Hollister had a Court in his own District at the same time and did not come, and the Court was not held, greatly to the disgust of the people there, as they have had not Court in two years, as I am today informed by one of their attorneys. And since Judge Noggle has been absent he wrote me to recommend a renewal of his leave of absence, and requested me to say that I had authority to call a Judge and that I could get one.

I answered him that I doubted the authority, but would endeavor to get a Judge, and if I succeeded I would then write you the recommendation Judge Noggle requested. But finding I could get no Judge, I so informed Judge Noggle, and respectfully declined to write the recommendation. Since that I received notice from Judge Noggle of the renewal of his leave of absence, and have written to Judge Watson urging him to come, and today I sent him a copy of your letter to me, and I think I will secure his attendance at the Courts, but do not know certainly.

This is the full facts in the case upon which I make no comment. I write for your information, for I believe others will write to you

Respectfully

(Signed) J. M. Bennett

Gov. of T

# Commission of
# Jon R. A. Lidebotham
## Secretary of Idaho.

## Rutherford B. Hayes:
## President of the United States of America.

To all to whom these Presents shall Come Greeting:

Know ye, That reposing Special trust and Confidence in the Integrity Diligence and Discretion of Robert A. Lidebotham, of Idaho, I have Nominated, And by and with the advice and Consent of the Senate do Appoint him to be Secretary of the Territory of Idaho, And do Authorize and empower him to Execute and fulfill the duties of that Office according to Law And to have and to hold the said Office with all the rights and emoluments thereunto legally appertaining unto him the said Robert A. Lidebotham, during the term of four years from the 29th Day of April 1878 Unless this Commission be sooner revoked by the President of the United States for the time being.

In Testimony whereof, I have Caused these Letters to be Made Patent, And the Seal of the Department of the Interior, to be hereunto affixed.

Given under my hand at the City of Washington the Sixth (6) Day of May in the Year of our Lord One Thousand Eight Hundred and Seventy Eight. And of the Independence of the

United States of America the one
Hundred and Second

By the President

Rutherford B Hayes-

C Schurz
Secretary of the Interior

E Hurlbut
Secretary of Legation

Official Oath.

I Robert A Sidebotham Secretary &c.

I Robert A Sidebotham do solemnly
swear that I have not voluntarily borne
Arms against the United States since I have
been a citizen thereof; that I have voluntarily
given no aid, Countenance, Counsel, or encour-
agement, to persons engaged in Armed hostility
thereto; that I have neither sought nor accept-
ed, nor attempted to exercise the functions of,
any Office whatever, under any Authority, or
pretended authority, in hostility to the United
States; that I have not yielded a voluntary
support to any pretended Government, Authority, power,
or Constitution within the United States, hostile or in-
imical thereto. And I do further swear that, to the
best of my Knowledge and Ability, I will support
and defend the Constitution of the United States
against all enemies, foreign and domestic; and that
I will bear true faith and allegiance to the same; that
I take this obligation freely, without any Mental Reserva-
tion or purpose of evasion; and that I will well and faith-
fully discharge the duties of the office on which

I Am about to enter upon the duties of the office to which I have been appointed, so help me God.

Robt. A. Lee Sebastian

Sworn to and subscribed before me This 22nd day of May A.D. 1878.

M. E. Bakister
Chief Justice of Idaho.

Recorded by

E. Hayes,
Secretary of Idaho.